

Virginia Interagency Advisory Council on Administrative Dispute Resolution

Minutes

June 14, 2007 Meeting

Richmond, Virginia

Present: Viola Baskerville, Secretary of Administration and Chair; Claudia Farr, Lead Staff; Cindy Berndt; Al Bridger; Joice Conyers; Ray Davis; Charles Gray; Connie Hope; Debbie Howe; Donita King; Carol Mitchell; Marty Parrish; Ron Regnery; John Settle; Ernest Spratley; and Alexis Thornton-Crump

Secretary Baskerville called the meeting to order at approximately 10:00 a.m. She welcomed Alexis Thornton-Crump, a new Council member appointed by Secretary Homer to fill the vacancy created by Larry Jones' departure. Secretary Baskerville expressed her appreciation for Mr. Jones' service on the Council over the past years. She also announced Kathy Fischer's departure as of July 1, and expressed appreciation for Ms. Fischer's service on the Council since 2002.

Funding Needs: Secretary Baskerville reported that the Council's proposal to Jane Kusiak for funding from the Governor's Enterprise Solutions Group's Productivity Investment Fund did not result in funding from that particular source, although Ms. Kusiak expressed support for the Council's work and for exploring other potential resources. Secretary Baskerville requested Marty Parrish, co-chair of the data subcommittee, to arrange a meeting with Ms. Kusiak, Ms. Parrish, Gail Jaspen and herself, as well as other involved Council members, to discuss potential funding sources. She also stated that Jay Sinha, a Governor's Fellow assigned to her Office, could be of assistance in helping to coordinate this effort.

SWaM Mediation Program:

Claudia Farr reported that an interagency team of representatives from the Council, the Departments of Minority Business Enterprise, General Services, Business Assistance, Transportation, Virginia Commonwealth University, VITA, and the Office of the Attorney General has met several times and is currently focused on developing a web-based system through which SWaM vendors may register their concerns and the Commonwealth could track how and when the concern is resolved. She asked that anyone knowledgeable about customer service tracking software that could meet this need contact her at claudia.farr@edr.virginia.gov and she will pass it along to the team.

Implementation Subcommittee:

Carol Mitchell and Donita King shared information they recently obtained on the federal shared neutrals program. Federal agencies use their ADR Coordinators to request the services of mediators; agencies have to sign an agreement to participate, and lead mediators must have at least 20 hours of training. The program is not limited to workplace disputes, although that is the bulk of the work currently.

Data Subcommittee:

Marty Parrish reiterated the need for the Commonwealth to move aggressively into ADR approaches to resolving disputes that would otherwise lead to costly litigation. She stressed the need for funding to develop the data needed to propel the initiative forward. She agreed to plan and participate in a meeting with Jane Kusiak and others to follow up on funding needs.

Training Subcommittee:

John Settle reported that the Subcommittee's first lunchtime seminar on the use of ombudsmen in government was well attended and resulted in a good exchange of information between agencies using ombuds. The next two seminars will be on workplace conflict coaching (July 12) and ADR in procurement, contracting, grants, and the like (September 20). Marketing the Council itself through the luncheon seminars was discussed, as well as through a speakers bureau.

Internal Governance of Council:

Claudia Farr asked the Council to consider the benefits of instituting internal governance guidelines, such as staggered terms of service for Council members and rotating vice-chair persons to develop new leadership and ideas. In addition, new committee structures could be set up to encourage ADR innovations among governmental users (e.g., procurement and contracting, workplace, regulatory and enforcement, claims against the government) and to glean the expertise of public and private ADR providers. It was the general consensus that most internal governance needs could be met administratively, without new legislation. Al Bridger and Joice Conyers volunteered to develop recommendations for the Council's review on internal governance guidelines and any needed statutory changes, and invited input from all Council members.

The meeting adjourned at approximately 11:15 a.m.

The next meeting will be September 13, 2007, 10:00 – 12:00, Oliver Hill Building.